

APPENDIX**Sent to Governor**

(March 28, 1977)

S.C.R. 13**S.C.R. 14****S.C.R. 18****S.C.R. 19****S.B. 97****S.B. 98****S.B. 111****S.B. 114****S.B. 117****S.B. 192****S.B. 507****FORTY-THIRD DAY**

(Tuesday, March 29, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Adams.

A quorum was announced present.

The Reverend Van Houser, First Baptist Church, Kerens, Texas, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Adams was granted leave of absence for today on account of death in the family on motion of Senator Brooks.

REPORTS OF STANDING COMMITTEES

Senator Creighton submitted the following report for the Committee on Economic Development:

S.B. 720
S.B. 945
C.S.S.B. 625 (Read first time)
C.S.S.B. 939 (Read first time)

Senator Brooks submitted the following report for the Committee on Human Resources:

S.B. 899
S.B. 782 (Amended)
C.S.S.B. 544 (Read first time)
C.S.S.B. 779 (Read first time)
C.S.S.B. 783 (Read first time)
C.S.S.B. 1042 (Read first time)

Senator Moore submitted the following report for the Committee on State Affairs:

H.B. 149

Senator Kothmann, Vice-Chairman, submitted the following report for the Committee on State Affairs:

S.B. 329
H.B. 628 (Amended)
S.B. 830 (Amended)
S.B. 850 (Amended)
S.B. 1183

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S.B. 25
S.B. 137
S.C.R. 5
S.C.R. 74
H.B. 97
H.B. 372
H.B. 720
H.B. 754
H.B. 789
H.B. 148
H.B. 282
H.C.R. 74

SENATE BILLS ON FIRST READING

By unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

S.B. 1208 by Parker Intergovernmental Relations
Amending Section 1 and Section 2 of Chapter 224, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 1109j, Vernon's Texas Civil Statutes, as amended), relating to contracts between cities and towns and districts created under Article XVI, Section 59 of the Constitution or non-profit corporations; and declaring an emergency.

S.B. 1209 by Braecklein Intergovernmental Relations
Relating to authority of a municipality to adopt an ordinance requiring three-fourths vote of its legislative body to overrule a recommendation of denial by the Zoning Commission; and declaring an emergency.

S.B. 1210 by Snelson Intergovernmental Relations
Relating to the creation, administration, maintenance, operation, and financing of the Midland County Hospital District of Midland County, Texas, under Article IX, Section 9, of the Texas Constitution.

S.B. 1211 by Aikin Human Resources
Providing for the amendment of Chapter 472, Acts of the 55th Legislature, Regular Session, 1957, as amended by Chapter 487, Acts of the 58th Legislature, Regular Session, 1963, Section 1, and Acts of the 64th Legislature, Regular Session, 1975, Section 1, known as the Hospital Authority Act (Article 4437e, Vernon's Texas Civil Statutes), by amending Section 14 thereof; clarifying the provisions for fixing, charging and collecting hospital rates, fees, and charges and establishing hospital systems, methods, routines, procedures and policies; containing other provisions relating to the subject and a severability clause; and declaring an emergency.

S.B. 1212 by Jones of Taylor State Affairs
Relating to retirement benefits for teachers employed by the Texas Youth Council; amending Chapter 281, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 5143d, Vernon's Texas Civil Statutes), by adding Section 20A.

S.B. 1213 by Jones of Taylor Intergovernmental Relations
Relating to the creation, jurisdiction, administration, and procedures of the County Court at Law No. 2 of McLennan County; making other provisions relative to the court.

HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committee indicated:

H.B. 1461, To Committee on Natural Resources.
H.B. 1276, To Committee on Natural Resources.
H.B. 1245, To Committee on Natural Resources.
H.B. 1213, To Committee on Natural Resources.
H.B. 1157, To Committee on Natural Resources.
H.B. 244, To Committee on State Affairs.

H.B. 416, To Committee on State Affairs.
H.B. 497, To Committee on Human Resources.
H.B. 879, To Committee on Economic Development.
H.B. 950, To Committee on Education.
H.B. 615, To Committee on Intergovernmental Relations.
H.B. 433, To Committee on Intergovernmental Relations.
H.B. 202, To Committee on Economic Development.
H.B. 157, To Committee on Education.
H.B. 10, To Committee on Human Resources.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and filed with the Secretary of the Senate:

March 28, 1977

Honorable William P. Hobby
Lieutenant Governor
President of the Senate
Austin, Texas 78711

Honorable Bill Clayton
Speaker of the House of Representatives
Austin, Texas 78711

Honorable Members of the Legislature
Austin, Texas 78711

Honorable Lt. Governor, Honorable Speaker and Honorable Members of the Legislature:

Today I am submitting as an emergency matter the accompanying measure under the provisions of Article III, Section 5, of the Constitution of the State of Texas.

I urge your prompt consideration and enactment of this measure.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

TO THE MEMBERS OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:

Pursuant to the provisions of Section 5, Article III of the Constitution of the State of Texas, I herewith submit as an emergency matter the following:

1. Legislation authorizing the Public Utility Commission to transfer certain appropriations and providing a supplemental appropriation of \$368,013 from the General Revenue Fund for the fiscal year ending August 31, 1977.

The enactment of this legislation should provide the Public Utility Commission with sufficient resources to dispose of the numerous utility rate cases now pending before the Commission in a fair and timely manner.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

MESSAGE FROM THE HOUSE

House Chamber
March 29, 1977

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 282 by vote of 126 Ayes, 6 Noes, 1 Present-Not Voting.

H.B. 285, A bill to be entitled An Act establishing a procedure for absentee voting by persons who become sick or disabled near or after the close of the regular absentee voting period; amending Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code), by adding Subdivision 3e.

H.B. 243, A bill to be entitled An Act relating to the classification of certain public junior college students for tuition purposes; amending Subsection (b), Section 130.003, Texas Education Code, as amended.

H.B. 248, A bill to be entitled An Act relating to the establishment of an upper-level educational center of Pan American University to be located in the city of Brownsville, to be known as Pan American University at Brownsville; amending Chapter 112, Texas Education Code, by adding Subchapter D.

H.B. 379, A bill to be entitled An Act relating to the state treasurer's records and reports concerning time and demand deposits of state funds.

H.B. 656, A bill to be entitled An Act relating to municipal annexation of territory within the boundaries of a special district that furnishes fresh water or sewer service; adding Section 8a to the Municipal Annexation Act, as amended (Article 970a, Vernon's Texas Civil Statutes).

H.B. 694, A bill to be entitled An Act relating to the application of the sales and use tax to periodicals and to certain property used in the publication and distribution of periodicals; amending Section (Y) of Article 20.01 and Section (BB) of Section 20.04, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended.

H.B. 1082, A bill to be entitled An Act relating to the deposit of and accounting for securities by designated state depositories with the Federal Reserve Bank of Dallas; amending Article 2530, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives

ESCORT COMMITTEE APPOINTED

Pursuant to the provisions of S.C.R. 59, the President announced the appointment of the following as a Committee to Escort The Honorable Enrique Cardenas Gonzalez to the Joint Session: Senators Longoria, Santiesteban, Truan, Snelson and Traeger.

COMMITTEE SUBSTITUTE SENATE BILL 51 ON THIRD READING

Senator Schwartz moved to suspend the regular order of business to take up on its third reading and final passage:

C.S.S.B. 51, Relating to prevention of discrimination in employment, public accommodations, education, and real property transactions; creating a state Commission on Human Rights and authorizing creation of local commissions; providing for cooperation and their respective powers and duties; defining discriminatory practices and making certain exemptions and exceptions; providing for filing of complaints, procedures for handling complaints, hearings, and orders; providing for judicial review; providing enforcement procedures; providing for keeping of records; relating to certain plans to eliminate discrimination and filing of such plans with the commission; defining certain offenses; providing remedies, sanctions, and penalties; making appropriations; and providing an effective date; and declaring an emergency.

The motion prevailed by the following vote: Yeas 20, Nays 9.

Yeas: Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Jones of Harris, Kothmann, Lombardino, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Creighton, Farabee, Hance, Harris, Jones of Taylor, McKnight, Mengden, Moore, Patman.

Absent: Longoria.

Absent-excused: Adams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 10.

Yeas: Andujar, Braecklein, Brooks, Clower, Doggett, Jones of Harris, Kothmann, Lombardino, Mauzy, Meier, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Creighton, Farabee, Hance, Harris, Jones of Taylor, McKnight, Mengden, Moore, Patman.

Absent: Longoria.

Absent-excused: Adams.

SENATE BILL 60 ON THIRD READING

Senator Brooks moved to suspend the regular order of business to take up on its third reading and final passage:

S.B. 60, A bill to be entitled An Act relating to granting authority to the Coordinating Board, Texas College and University System, to contract with teaching hospitals for certain purposes; amending Chapter 61, Texas Education Code, as amended, by adding Subchapter G; amending Sections 73.057, 74.154, and 110.09, Texas Education Code; and declaring an emergency.

The motion prevailed by the following vote: Yeas 22, Nays 7.

Yeas: Aikin, Andujar, Brooks, Clower, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Braecklein, Creighton, Doggett, Farabee, Jones of Taylor, Moore, Patman.

Absent: Longoria.

Absent-excused: Adams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Patman and Creighton asked to be recorded as voting "Nay" on the final passage of the bill.

**MOTION TO PLACE
COMMITTEE SUBSTITUTE SENATE BILL 194 ON SECOND READING**

Senator Meier moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 194, Relating to the administration of the state turnpike program; amending Sections 1 and 2, 4-21, and repealing Section 3, Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 6674v, Vernon's Texas Civil Statutes).

Question - Shall the regular order be suspended?

MOTION TO ADJOURN

On motion of Senator Aikin the Senate agreed to stand adjourned at the conclusion of the Joint Session until 10:30 o'clock a.m. tomorrow.

JOINT SESSION

(To hear address by The Honorable Enrique Cardenas Gonzalez.)

The President announced that the hour for the Joint Session of the two Houses to hear an address by The Honorable Enrique Cardenas Gonzalez, Governor of Tamaulipas, Mexico, had arrived.

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m. to hear an address by The Honorable Enrique Cardenas Gonzalez, pursuant to the provisions of S.C.R. 59.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The President, on invitation of the Speaker, occupied a seat on the Speaker's Rostrum.

The Honorable Dolph Briscoe, Governor of the State of Texas, and Mrs. Briscoe, The Honorable Enrique Cardenas Gonzalez and Mrs. Gonzalez, Danish Ambassador Otto R. Borch and Mrs. Borch and their party were announced by the Doorkeeper of the House.

The party was escorted to the Speaker's Rostrum by Senators Longoria, Santiesteban, Truan, Snelson and Traeger, on the part of the Senate and Representatives A. Garcia, W. Hall, Rangel, Torres, Ragsdale, and Looney, on the part of the House of Representatives.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Bill Clayton, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Speaker introduced Representative Matt Garcia, who extended greetings from the House of Representatives to Governor Gonzalez and his party.

The President introduced Senator Longoria who introduced distinguished platform guests.

The Speaker introduced The Honorable Dolph Briscoe, Governor of Texas, who extended greetings to Governor Gonzalez from the people of Texas.

The Honorable Enrique Cardenas Gonzalez, Governor of Tamaulipas, then addressed the Joint Session. His address was interpreted by The Honorable Arnaldo Ramirez, Mayor of Mission, Texas.

MEMORIAL RESOLUTION

S.R. 426 - by Farabee: Memorial resolution for Guy McNeely.

WELCOME AND CONGRATULATORY RESOLUTIONS

- S.R. 397 - by Clower: Extending welcome to Reverend Van Houser.
- S.R. 398 - by Clower: Extending welcome to Bishop Calvin Berry.
- S.R. 399 - by Clower: Extending welcome to Jennifer Hentrich.
- S.R. 400 - by Clower: Extending welcome to Jamie Maxwell.
- S.R. 401 - by Clower: Extending welcome to Ben Sullivant.
- S.R. 402 - by Clower: Extending welcome to Emily Williams.
- S.R. 403 - by Clower: Extending welcome to Paul Raddam.
- S.R. 404 - by Clower: Extending welcome to Carol Watson.
- S.R. 405 - by Clower: Extending welcome to Tina Roberto.
- S.R. 406 - by Clower: Extending welcome to Julie Reitz.
- S.R. 407 - by Clower: Extending welcome to Elizabeth Tilley.
- S.R. 408 - by Clower: Extending welcome to William Holford.
- S.R. 409 - by Clower: Extending welcome to Mary Watt.
- S.R. 410 - by Clower: Extending welcome to Mike Hellmund.
- S.R. 411 - by Clower: Extending welcome to Willie Swenson.
- S.R. 412 - by Clower: Extending welcome to Holly Powell.
- S.R. 413 - by Clower: Extending welcome to Marianne Lawlor.
- S.R. 414 - by Clower: Extending welcome to Charles Villasenor.
- S.R. 415 - by Clower: Extending welcome to Carrie Sarrett.
- S.R. 416 - by Clower: Extending welcome to Reid Wittliff.
- S.R. 417 - by Clower: Extending welcome to Sarah Clower.
- S.R. 418 - by Clower: Extending welcome to Caroline Ohlenbusch.
- S.R. 419 - by Clower: Extending welcome to Russell Johnson.
- S.R. 420 - by Clower: Extending welcome to Jenny Bump.
- S.R. 421 - by Clower: Extending welcome to David Walker.
- S.R. 422 - by Clower: Extending welcome to Alison Farmer.

S.R. 423 - by Clower: Extending welcome to Robin Reed.

S.R. 424 - by Clower: Extending welcome to Casis Elementary School 2nd Grade Students.

S.R. 425 - by Clower: Extending welcome to Betty Champion.

S.R. 427 - by Ogg, Jones of Harris: Extending welcome to Cornelius Elementary School.

S.R. 428 - by Ogg, Jones of Harris: Extending welcome to Mrs. Thelma Ogg.

ADJOURNMENT

The President announced the purpose of the Joint Session had been concluded and declared the Senate at 11:50 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow, in accordance with a motion previously adopted by the Senate.

APPENDIX

Sent to Governor

(March 29, 1977)

S.C.R. 5
S.C.R. 74
S.B. 25
S.B. 137

FORTY-FOURTH DAY (Wednesday, March 30, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Traeger, Truan, Williams.

Absent-excused: Adams, Snelson.

A quorum was announced present.

The Reverend Albert C. Hemenway, Presbyterian Minister, Austin, Texas, offered the invocation as follows: